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SDNY/NYNY
07-CV-2256
Gorenstein, G

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

PAUL ORFALEA,

Plaintiff-Appellant,

v.

CLAYTON, DUBILIER & RICE, INC., and
CLAYTON, DUBILIER & RICE FUND VI,

Defendants-Appellees.

x

Docket No. 09-4503-cv

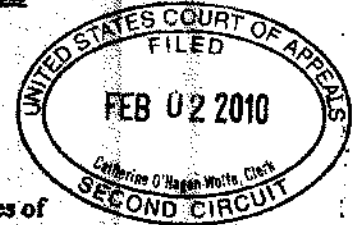
**STIPULATION
WITHDRAWING APPEAL**

x

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PLEASE TAKE NOTICE that pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, the undersigned counsel for Plaintiff-Appellant PAUL ORFALEA, and Defendants-Appellees CLAYTON, DUBILIER & RICE, INC., and CLAYTON, DUBILIER & RICE FUND VI, hereby stipulate that the above-captioned appeal is hereby withdrawn. Clayton, Dubilier & Rice, Inc. and Clayton, Dubilier & Rice Fund VI reserve all rights to pursue costs and attorneys' fees.

The undersigned further stipulate that a signature on this document by facsimile shall be sufficient as an original.

DATED: January 27, 2010

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FOR THE COURT
Catherine O'Hagan Wolfe, Clerk of Court
By:
Vidya Kuppala, Staff Counsel

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by:
DEPUTY CLERK

CERTIFIED:

2-2-10